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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, ex. rel. No. C-11-0941 EMC  
CAMPIE *et al.*,

Plaintiffs,

**ORDER GRANTING RELATORS'  
MOTION FOR LEAVE TO FILE  
SUPPLEMENTAL BRIEFING**

GILEAD SCIENCES, INC., *et al.*,

(Docket No. 112)

Defendants.

On November 12, 2014, Relators filed a motion seeking leave to file a supplemental brief in light of this Court's questioning at the October 21, 2014 hearing on Defendants' motion to dismiss. Dkt. No. 112. Defendants have opposed this motion.

Northern District of California Local Rule 7-3(d) provides that "[o]nce a reply is filed, no additional memoranda, papers or letters may be filed without prior Court approval." While Defendants take issue with Relators' motion, an administrative motion under Local Rule 7-11 is the proper vehicle for seeking leave to file a supplemental brief. *See, e.g., Michael Taylor Designs, Inc. v. Travelers Property Cas. Co. of Am.*, 761 F. Supp. 2d 904, 909 (N.D. Cal. 2011). At the same time, Defendants are correct that such motions should "avoid arguing the merits to the extent possible" but rather should concisely explain why further briefing is necessary and not cumulative of other submissions. *Id.*

Relators' motion for leave to file a supplemental brief is **GRANTED** and the document attached as Exhibit A to Relators' motion will be filed. Defendants may, if they so choose, file a sur-response not to exceed 10 pages by **Monday, November 24, 2014 at 3:00pm**. No further filings will be accepted after this date.

1 This order disposes of docket number 112.  
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3 IT IS SO ORDERED.  
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5 Dated: November 13, 2014  
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7 EDWARD M. CHEN  
8 United States District Judge  
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